

Amendments to the Claims:

The following listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) A surface inspection method for inspecting a pattern formed at a surface of a test piece, comprising:

a first step in which a plurality of inspection conditions that are different from each other are set;

a second step in which light from the surface of the test piece is detected by irradiating illumination light onto the surface of the test piece under each of said plurality of inspection conditions;

a third step in which a plurality of sets of detection information corresponding to said plurality of inspection conditions are generated based upon an image of the surface formed by condensing specific diffracted light from the surface of the test piece under each of said plurality of different inspection conditions~~the detected light~~;

a fourth step in which a logical OR of said plurality of sets of detection information is obtained; and

a fifth step in which a decision is made as to whether or not said pattern at the surface of the test piece is acceptable based upon results of the logical OR.

2. (Original) A surface inspection method according to claim 1, wherein in said third step:

an image of the surface is formed by condensing at least one of specific diffracted light, scattered light and reflected light from the surface of the test piece under each of said plurality of different inspection conditions;

said image is converted to an image signal; and

said detection information is generated based upon said image signal.

3. (Original) A surface inspection method according to claim 1, wherein:
said pattern comprises a plural types of cyclical pattern;
said plurality of inspection conditions are respectively set in correspondence to pitches of said plural types of cyclic pattern.
4. (Original) A surface inspection method according to claim 1,
wherein:
said plurality of inspection conditions are each set by rotating the test piece around a specific axis of rotation to change an angle of incidence of said illumination light onto the test piece and a light-receiving angle of the light from the test piece.
5. (Original) A surface inspection method according to claim 1, wherein:
said plurality of inspection conditions are each set by setting at least one of an angle of incidence of said illumination light, a light-receiving angle of the light from the test piece, and a wavelength of said illumination light.
6. (Currently Amended) A surface inspection method according to claim 1,
wherein:
said plurality of inspection conditions are each set in conformance to ana order of diffracted light corresponding to a specific pitch of the pattern on the test piece.
7. (Original) A surface inspection method according to claim 1, wherein:
said plurality of inspection conditions are each set by adjusting a wavelength of said illumination light.
8. (Original) A surface inspection method for inspecting a pattern formed at a surface of a test piece, comprising:
a first step in which a plurality of diffraction conditions that are different from each other are set;

a second step in which diffracted light from the surface of the test piece is detected by irradiating illumination light onto the surface of the test piece under each of said plurality of diffraction conditions;

a third step in which a plurality of sets of detection information corresponding to said plurality of diffraction conditions are generated based upon the detected light;

a fourth step in which a condition which is other than said diffraction conditions and is outside design diffraction conditions determined in conformance to said pattern is set;

a fifth step in which scattered light from the surface of the test piece is detected by irradiating said illumination light onto the surface of the test piece under the condition other than said diffraction conditions;

a sixth step in which detection information corresponding to the condition other than said diffraction conditions is generated based upon the scattered light that has been detected;

a seventh step in which a logical OR of said plurality of sets of detection information generated in said third step and said detection information generated in said sixth step is obtained; and

an eighth step in which a decision is made as to whether or not said pattern at the surface of the test piece is acceptable based upon results of the logical OR.

9. (Currently Amended) A surface inspection apparatus that conducts an inspection of a pattern formed at a surface of a test piece, comprising:

a stage that holds the test piece;

an illumination device that irradiates illumination light onto the surface of the test piece;

a light-receiving device that detects ~~at least one of~~ diffracted light, ~~scattered light and reflected light~~ from the test piece;

a drive device that makes it possible to vary at least one of: an angle of inclination of said stage, a position of said illumination device and a position of said light-receiving device, in order to guide the light from the surface of the test piece to said light-receiving device under a plurality of different inspection conditions; and

an arithmetic operation device that sets said plurality of inspection conditions, generates a plurality of sets of detection information in correspondence to said plurality of inspection conditions based upon the light detected by said light-receiving device, obtains a logical OR of said plurality of sets of detection information thus generated and makes a decision as to whether or not said pattern at the surface of the test piece is acceptable based upon results of said logical OR.

10. (Original) A surface inspection apparatus that conducts an inspection of a pattern formed at a surface of a test piece, comprising:

a first illumination device that irradiates illumination light onto the surface of the test piece at a variable first angle of incidence;

a second illumination device that irradiates illumination light from a light source formed in a slit onto the surface of the test piece at a second angle of incidence larger than said first angle of incidence;

a light-receiving device that detects light originating from the surface of the test piece; and

an arithmetic operation device that generates first detection information based upon light originating from the surface of the test piece through irradiation by said first illumination device detected by said light-receiving device, generates second detection information based upon light originating from the surface of the test piece through irradiation

by said second illumination device detected by said light-receiving device, obtains a logical OR of said first detection information and said second detection information and makes a decision as to whether or not said pattern at the surface of the test piece is acceptable based upon results of said logical OR.

11. (Currently Amended) A recording medium having recorded therein a program employed in a surface inspection apparatus that conducts an inspection of a pattern formed at a surface of a test piece, said program comprising:

a first instruction for setting a plurality of different inspection conditions;

a second instruction for detecting light originating from the surface of the test piece by irradiating illumination light onto the surface of the test piece under each of said plurality of inspection conditions;

a third instruction for generating a plurality of sets of detection information corresponding to said plurality of inspection conditions based upon an image of the surface formed by condensing specific diffracted light from the surface of the test piece under each of said plurality of different inspection conditions ~~the detected light~~;

a fourth instruction for obtaining a logical OR of said plurality of sets of detection information; and

a fifth instruction for making a decision as to whether or not said pattern at the surface of the test piece is acceptable based upon results of said logical OR.

12. (Currently Amended) A data signal embodied in a carrier wave comprising a program employed in a surface inspection apparatus that conducts an inspection of a pattern formed at a surface of a test piece, said program comprising:

a first instruction for setting a plurality of different inspection conditions;

a second instruction for detecting light originating from the surface of the test piece by irradiating illumination light onto the surface of the test piece under each of said plurality of inspection conditions;

a third instruction for generating a plurality of sets of detection information corresponding to said plurality of inspection conditions based upon an image of the surface formed by condensing specific diffracted light from the surface of the test piece under each of said plurality of different inspection conditions~~the detected light~~;

a fourth instruction for obtaining a logical OR of said plurality of sets of detection information; and

a fifth instruction for making a decision as to whether or not said pattern at the surface of the test piece is acceptable based upon results of said logical OR.

13. (New) A surface inspection method according to claim 1, wherein
image data based upon the image of the surface of the test piece under each of said plurality of different inspection conditions is corrected according to the each of said plurality of different inspection conditions.

14. (New) A surface inspection apparatus according to claim 9, wherein
said arithmetic operation device generates image data based upon the light detected by the light-receiving device under each of said plurality of different inspection conditions, and corrects the image data according to the each of said plurality of different inspection conditions.

15. (New) A recording medium according to claim 11, wherein
image data based upon the image of the surface of the test piece under each of said plurality of different inspection conditions is corrected according to the each of said plurality of different inspection conditions.

16. (New) A data signal according to claim 12, wherein

image data based upon the image of the surface of the test piece under each of said plurality of different inspection conditions is corrected according to the each of said plurality of different inspection conditions.